

Application No. 09/195,105
Amendment dated May 27, 2010
Reply to Office Action of December 8, 2009

REMARKS

Applicant amended claims 1, 9, 10, 12, 16, 17, 19 and 22-27, cancelled dependent claim 15 without prejudice or disclaimer, and added new claims 28-33 to further define Applicant's claimed invention. New claims 28-33 are supported by the specification and drawings, for example only, on page 30, line 17 to page 32, line 15; page 33, lines 3-10 and 17-20; and Fig. 6.

In the Office Action, the Examiner rejected claims 1-24, 26, 27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,644,724 to Cretzler ("Cretzler"), and further in view of U.S. Patent No. 5,774,872 to Golden et al. ("Golden") and further in view of U.S. Patent No. 5,335,169 to Chong ("Chong").

Independent claims 1 and 17, as now amended, recite a tax register adapted to "compute use tax data for the transaction to be indicated to an appropriate government agency based upon a location where purchased goods are to be shipped." Independent claim 9, as now amended, recites a computer register adapted to "calculate the use tax to be received by the government agency based upon a location where the goods are to be shipped."

Cretzler teaches a microprocessor 24 that "computes the appropriate sales or use taxes and provides the merchant with an indication of the amount of taxes to be collected." (Cretzler, col. 4, lines 25-28). The Examiner indicates that this suggests that the use tax is based on the location of the consumer "since the consumer initiates a transaction at the point-of-sale location." (Office Action, page 4, lines 10-11). Golden teaches a "point-of-sale, taxable transaction terminal" that is "disposed at each remote vendor location. (Golden, col. 2, lines 56-57). According to Golden, each terminal includes a means for entering the tax due that reflects the applicable tax rate. (Golden, col. 3, lines 1-4). Chung was applied to the rejection as allegedly disclosing a transaction number (see Office Action, page 8, line 20 to page 9, line 9). The feature of the transaction number has been deleted from the independent claims. None of Cretzler, Golden or Chong teaches or suggests a system as recited in independent claims 1, 9, and 17. Accordingly, Applicant submits that the rejection of claims 1-24,

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26, 27 under 35 U.S.C. § 103(a) as being unpatentable over Cretzler in view of Golden and Chong has been overcome.

Applicant submits that independent claims 1, 9, 17, 28, 30, 32 and 33 are patentable and that dependent claims 2-8, 10-16, 18-27, 29 and 31 dependent from one of independent claims 1, 9, 17, 28, 30, or claims dependent therefrom, are patentable at least due to their dependency from an allowable independent claim.

In view of the foregoing remarks, it is respectfully submitted that the claims, as amended, are patentable. Therefore, it is requested that the Examiner reconsider the outstanding rejections in view of the preceding comments. Issuance of a timely Notice of Allowance of the claims is earnestly solicited.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-1068.

Respectfully submitted,

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